

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Approve the adoption of a Resolution confirming Board of County Commissioners' action on July 22, 2008 approving an amendment and revisions to the 2007/2008, 2008/2009, and 2009/2010 Local Housing Assistance Plan (LHAP)

DEPARTMENT: Community Services

DIVISION: Community Assistance

AUTHORIZED BY: David Medley

CONTACT: Shelley McHaney

EXT: 2394

MOTION/RECOMMENDATION:

Approve and authorize the Chairman to execute a Resolution confirming Board of County Commissioners' action on July 22, 2008 approving an amendment and revisions to the 2007/2008, 2008/2009, and 2009/2010 Local Housing Assistance Plan (LHAP).

County-wide

Shelley McHaney

BACKGROUND:

On July 22, 2008, the Board of County Commissioners (Board) approved an amendment and revisions to the Local Housing Assistance Plan (LHAP) for Years 2007/2008, 2008/2009, and 2009/2010 and authorized staff to submit the amended and revised LHAP to Florida Housing Finance Corporation (FHFC).

Staff was notified (by email) from FHFC that the amended LHAP of July 22, 2008 has been forwarded on to its review committee. Final approval by the committee will become official upon receipt of the adopted Resolution confirming the Board's action of July 22, 2008. Upon adoption of the Resolution, staff will submit it to FHFC in order to receive their final approval.

STAFF RECOMMENDATION:

Staff recommends that the Board approve and authorize the Chairman to execute a Resolution confirming Board of County Commissioners' action on July 22, 2008 approving an amendment and revisions to the 2007/2008, 2008/2009, and 2009/2010 Local Housing Assistance Plan (LHAP).

ATTACHMENTS:

1. 2007/2008, 2008/2009, and 2009/2010 LHAP approved 7/22/08
2. Resolution

Additionally Reviewed By:

☐ County Attorney Review (Arnold Schneider)

Seminole County Government
SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

FISCAL YEARS COVERED
2007/2008, 2008/2009, and 2009/2010

Revised 09/11/2007

07/22/2008

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	Administrative Budget for each fiscal year covered in the Plan: (2007/2008, 2008/2009, 2009/2010)	Exhibit A
	Timeline for Encumbrance and Expenditure: (Not submitted/No revision from original LHAP)	Exhibit B
	Housing Delivery Goals Chart (HDGC) REVISED for Fiscal Years (2007/2008, 2008/2009, 2009/2010)	Exhibit C
	Certification Page: (Not submitted/No revision from original LHAP)	Exhibit D
	Adopting Resolution: (Not submitted/No revision from original LHAP))	Exhibit E
	Program Information Sheet: (Not submitted/No revision from original LHAP)	Exhibit F
	Updated Ordinance: (Not submitted/No Revision from original LHAP)	Exhibit G

I. PROGRAM DESCRIPTION:

A. Name of the participating local government and Interlocal if Applicable:

Seminole County is the participating local government, with no interlocal agreements for the SHIP program.

B. Purpose of the program:

This plan is for the purpose of meeting the housing needs of the very low, low, and moderate income households, to expand production of and preserve affordable housing, and to further the Housing Element of the Seminole County Comprehensive Plan specific to affordable housing.

C. Fiscal years covered by the Plan:

2007/2008

2008/2009

2009/2010

Funding levels for strategies reflected in the Housing Delivery Goals Chart (Exhibit C) will be applied also to funds of earlier SHIP distribution years.

D. Governance:

The Seminole County SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37 Florida Administrative Code. The SHIP Program furthers the Housing Element of the Seminole County Comprehensive Plan. The County shall at all times comply with applicable statutes and regulations and all subrecipients of SHIP funds shall likewise be bound to comply with said statutes and regulations by the terms of their subrecipient agreements and other financing documents.

E. Local Housing Partnership:

The SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low income persons and community groups. The County's program actively involves nonprofit and for-profit agencies in its housing programs and production.

F. Leveraging:

The Plans are intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and use public and private funds to reduce the cost of housing. SHIP funds are made available for participation in tax credit developments, to partner with Predevelopment Loan Programs as the 25% match for the federal HOME Program, and for other programs for low and moderate income residents.

G. Public Input:

Public input was solicited through face-to-face meetings with housing providers, social service providers and local lenders and neighborhood associations. Additional public meetings on housing needs are held annually as part of the Consolidated Plan process. Public input was solicited through the local newspaper in advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

H. Advertising and Outreach:

The County shall advertise the notice of funding availability in a newspaper of general circulation (The Orlando Sentinel) and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If the waiting list is so extensive that no new applications will be able to be funded, the County may elect to not advertise.

I. Discrimination:

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process.

J. Support Services and Counseling:

Support services are available from various sources. Counseling is required for all County funded homeowner related strategies.

K. Purchase Price Limits:

SHIP Purchase Price Limits: The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Therefore, Seminole County shall define the maximum sales price for new and existing homes as being an amount not to exceed 90% of the median price for the Orlando Metropolitan Statistical Area as established by the U.S. Treasury Department.

The purchase price limit for new and existing homes shall be annually determined over the three-year life of the LHAP and updated on the Housing Delivery Goals Charts (Exhibit C).

Maximum Purchase Price is determined on a per customer basis by the customer's repayment ability.

L. Income Limits, Rent Limits and Affordability:

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by the Florida Housing Finance Corporation. Affordable means that monthly rents do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 (19), (20) and (28), F.S. Affordable mortgages and/or housing payments are those in which the payments including taxes and insurance do not exceed 30% of the household's annual income.

M. Essential Services Personnel:

Certain programs may be targeted to retain or attract Essential Service Personnel (ESP) to the County. Essential Service Personnel includes teachers and educators, other school district, community college, and university employees, police and fire personnel, health care personnel, skilled building trades personnel, and other job categories deemed essential in Seminole County. ESP income eligibility will be the same as the moderate income definition.

N. Welfare Transition Program:

Should an eligible sponsor be used, the County has developed a qualification system and selection criteria for applications for Awards to eligible sponsors. These criteria include a description demonstrating how eligible sponsors that employed personnel from the Welfare Transition Program will be given preference in the selection process.

O. Monitoring and First Right of Refusal:

In the case of rental housing with more than \$3,000 of SHIP funding per rental unit, the staff shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, the County or its subrecipients may rely on such monitoring and determination of tenant eligibility. Tenant eligibility will be monitored at least annually for 15 years or the term of assistance, which ever is longer.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons. Any such offer for purchase must first be noticed to the County.

P. Administrative Budget:

A detailed listing including line-item budget of proposed Administrative Expenditures is attached as Exhibit A. These are presented on an annual basis for each State fiscal year submitted.

Seminole County finds that it can no longer adequately cover the administrative costs of its SHIP program responsibilities with the five percent (5%) cap on local housing distribution funds for such purposed imposed by section 430.907(7), Florida Statutes. Therefore, the County has adopted Resolution 07-R-80, a copy of which is attached as Exhibit E hereto, for utilization of up to ten percent (10%) of such funds for administrative overhead of implementing this LHAP.

II. LHAP HOUSING STRATEGIES: Homeownership

A. Purchase Assistance:

1. **Summary of the Strategy:** This strategy may be used by qualified persons in need of down payment, closing cost assistance, and/or financing to purchase new or existing homes.

This is a first time home buyer strategy, consistent with federal and State housing program definitions of "first time". The definition includes persons or households who have not owned a home other than a mobile home during the three (3) year period immediately prior to applying for SHIP funds. The following persons shall not be excluded from consideration as a first-time home buyer:

- Displaced homemaker, as defined by HUD; or
- An individual or household living in a substandard dwelling that cannot be brought into compliance with local building and housing codes for less than the cost of constructing a permanent structure and there is no mortgage, taxes due or liens on the property.

2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** This strategy will be for applicants whose income is classified as very low, low, or moderate. Purchase assistance for moderate income households will be limited and will only be provided to the extent that funds are available through program income* or recaptured funds**. (See definitions of program income, and recaptured funds at the bottom of this page)

4. **Maximum awards:** Very Low Income - \$80,000, Low Income - \$50,000, Moderate Income - \$20,000 is further noted on the Housing Delivery Goals Charts (See Exhibit C):
5. **Terms, Recapture and Default:** Seminole County will provide an interest free forgivable loan for up to 20 years. Minimum affordability period is based upon the total amount of SHIP assistance.

10 Years	Total Amount of Assistance	\$ Up to \$40,000.00
20 Years	Total Amount of Assistance	\$ 40,000.01 up to \$80,000.00

Seminole County will provide an interest-free deferred forgivable loan. The initial assistance of up to \$40,000.00 will be forgiven upon completion of the tenth (10th) year anniversary. Assistance of \$40,000.01 up to \$80,000.00 will be forgiven upon completion of the twentieth (20th) year anniversary.

** Program Income is defined by Florida Statute 420.9071 (24) "as the proceeds derived from interest earned on or investment of the local housing distribution and other funds deposited into the local housing assistance trust fund, proceeds from loan payments, recycled funds, and all other income derived from use of funds deposited in the local housing assistance trust fund. It does not include recaptured funds".*

*** Recaptured funds is defined by Florida Statute 420.9071 (25) "means funds that are recouped by a county or eligible municipality in accordance with the recapture provisions of its local housing assistance plan pursuant to Florida Statute 420.9075 (4) (5)(g) from eligible persons or eligible sponsors who default on the terms of a grant award or loan award".*

Maximum Assistance amounts are:

Income Level:	Maximum Assistance:
Moderate	\$20,000
Low	\$50,000
Very Low	\$80,000

Repayment: During the term of the loan, full repayment of the remaining SHIP obligation will be due upon the occurrence of one or more of the following events:

- If the mortgagor no longer resides in the home as a permanent residence, or homestead exemption is lost; or
- If any part of the property or any interest in it is sold or refinanced (procurement of new, additional financing), transferred, gifted or possession is otherwise conveyed to another person, without prior County approval and consistent with County policies, whether by voluntary act, involuntarily, by operation of law or otherwise. (A subordination of mortgage for the purpose of refinancing is subject to current subordination policies); or
- If the mortgagor is divested of title by judicial sale, levy or other proceedings; or
- If foreclosure is instituted against the property; or
- If the property is leased, subleased or rented.

In the event of the death of a SHIP recipient prior to the forgiveness date or final payment due date, the unforgiven portion of the mortgage shall be repaid to Seminole County unless the property is assumed by a surviving household member, heir, or beneficiary, any one of whom must meet the income qualifications applicable to SHIP applicants and who also maintain the home as his/her/their primary residence and homestead. Any such assumption is subject to approval by the County.

In the case of foreclosure, or other involuntary loss of title or possession of the home by the SHIP recipient, repayment will be required in the full amount due, subject to the amount available from net proceeds of any judicial sale or other forced liquidation or refinancing.

As an enhancement of its recapture strategies, in the event of a first mortgage foreclosure, the County may enter into a negotiated settlement with the first mortgagee for the sale or assignment of the County's interest at an amount less than the outstanding principal balance of the SHIP second mortgage. Alternatively, and with the objective of retaining the home as part of the local affordable housing stock, the County may negotiate the acquisition of the first mortgage at a discounted amount in connection with dismissal of the first mortgage foreclosure suit, or subject to Board approval, SHIP funds may be used for the purchase of previously SHIP funded homes at foreclosure sale with the objective of preserving the available affordable housing stock and protecting the County's investment.

The SHIP purchase assistance program is intended to assist income eligible households to obtain homeownership. It is understood that SHIP recipients may need to sell their homes for a variety of reasons including job transfers, marriage, and other occurrences that are a normal part of family life. For this reason, repayments of the SHIP loan are considered an approved part of this strategy, and are not considered to be a “default.” “Default” would be a foreclosure, or any action that would otherwise void the agreement, if the County is not notified of such action within 90 days.

6. Recipient Selection Criteria:

- Funds will be made available on a first come, first complete, first served basis while funds are available;
- All units assisted will be located in Seminole County;
- A manufactured/mobile home is only eligible if it meets the standards established by the Florida Department of Community Affairs (DCA) which requires a DCA decal/emblem to be displayed in the home. Applicant must have satisfied all planning, zoning, special exceptions or variance requirements of the local Jurisdiction. Staff will inspect the manufactured/mobile home to verify eligibility of the specific unit;
- Applicants are required to submit a completed Seminole County SHIP Application and provide all written documentation requested of income, eligibility and qualifications;
- Persons who qualify for SHIP assistance must contractually agree to all SHIP Program guidelines, Seminole County SHIP requirements, recapture provisions and certify that the unit assisted will be their principal residence;
- Applicant must secure a first mortgage loan commitment at a competitive fixed rate (15-30 Year FHA or Conventional Loan only) through a Florida Housing Finance Corporation (FHFC) Bond approved lender. FHFC lenders are the exclusive lenders for Seminole County and will be required to complete a SHIP Purchase Assistance Information Session prior to participation.
- The Purchase Assistance Program requires that potential homebuyers complete a pre-purchase education program prior to application submittal. The pre-purchase education program certificate must be provided by a HUD approved Housing Counseling Agency located within the State of Florida. The certificate must be dated no more than six (6) months prior to application submission. After completing the aforementioned education requirements, applicants must also complete a required County first-time homebuyer class prior to receiving assistance; and
- The Purchase Assistance Program requires that applicants invest a minimum of one thousand dollars (\$1,000) into the property being purchased.

7. **Sponsor Selection Criteria:** The County may choose a sponsor to assist in the administration of this strategy by advertising using Seminole County purchasing and procurement guidelines. The Sponsor may be a for-profit corporation, or a not for profit corporation, or a community based organization. Selection will be based on the sponsor's ability to proceed, past experience in related fields, and performance.
8. **Additional Information:**
 - This is a first time home buyer strategy (See paragraph II A.1.);
 - Applicant must be credit worthy and have sufficient income required to obtain mortgage financing;
 - Mortgage payments, including taxes and insurance may not exceed 30 percent of an amount representing the percentage of area's median annual gross income for the household;
 - Affordable mortgages/house payments are those in which the payment, including taxes and insurance, do not exceed 30% of the household's annual income; and
 - Taxes and insurance shall be included in an escrow account established and administered by the first mortgage holder or it's Agent.

B. New Construction:

1. **Summary of Strategy:** SHIP funds may be used by the County or by a selected non-profit or for-profit developer to further the construction of new housing. Funds may be allocated for the construction of new units, payment of impact fees, to provide needed infrastructure (i.e., water and sewer), and/or land acquisition.
2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** This program is intended for the same targeted groups as are participating in the Purchase Assistance Strategy, i.e., very low, low income and moderate income residents. Moderate Income residents are being included in order to provide an income mix in a funded housing development.
4. **Maximum award:** Maximum award is noted on the Housing Delivery Goals Charts: Exhibit C

5. **Terms, Recapture and Default:** Seminole County will provide an interest free forgivable loan for up to 30 years. Minimum affordability period is based upon the total amount of SHIP assistance.

10 Years	Total Amount of Assistance	\$ Up to \$40,000.00
20 Years	Total Amount of Assistance	\$ 40,000.01 up to \$80,000.00
30 Years	Total Amount of Assistance	\$ 80,000.01 up to \$200,000.00

Seminole County will provide an interest-free deferred forgivable loan. The initial assistance of up to \$40,000.00 will be forgiven upon completion of the tenth (10th) year anniversary. Assistance of \$40,000.01 up to \$80,000.00 will be forgiven upon completion of the twentieth (20th) year anniversary. Assistance of \$80,000.01 to \$200,000.00 will be forgiven upon completion of the thirtieth (30th) year anniversary.

Seminole County may provide development grant funding to selected developers and/or builders for the purpose of producing affordable homes for purchase by SHIP-qualified households.

6. **Recipient Selection Criteria:** Sponsors and developers will be selected based upon a best-qualified approach, including but not limited to: time in operation, financial stability, experience in the development of housing, project site and plans, sales price and subsidy cost per unit.

Homebuyers will be selected based on the same Recipient Selection Criteria as in the Purchase Assistance strategy (See Paragraph II A.6.).

Potential recipient entities are required to submit a completed Seminole County SHIP Request for Proposal (RFP) and provide all written documentation requested including, income levels to be served, location and site control, site plans, development timetable, project manager qualifications, source of matching funds, uses statement, permit approvals and experience.

7. **Sponsor Selection Criteria:** The County may choose a sponsor to assist in administration of this strategy assistance by using Seminole County purchasing and procurement guidelines. The Sponsor may be a private for profit or not-for-profit Corporation. Selection will be based on the best-qualified approach which includes the general concepts of ability to proceed, past experience in related fields, and performance.
8. **Additional Information:** SHIP funds for new housing construction may be used to develop housing providing the requisite ownership interest through a life estate to elderly Seminole County residents whose previous homes were dilapidated beyond repair. Additional program design elements will be established prior to this undertaking. (See Strategy E, New Construction for Seniors).

C. Acquisition and Rehabilitation of Homes:

1. **Summary of the Strategy:** SHIP funds may be used by the County or by a selected developer to acquire and rehabilitate existing homes for the purpose of improving the housing stock and making homeownership opportunities available to lower income persons.
2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** This strategy will be for applicants whose income is classified as very low or low.
4. **Maximum award:** Maximum award is noted on the Housing Delivery Goals Charts: Exhibit C
5. **Terms, Recapture, and Default:** Seminole County will provide an interest free forgivable loan for up to 30 years. Minimum affordability period is based upon the total amount of SHIP assistance.

10 Years	Total Amount of Assistance	\$ Up to \$40,000.00
20 Years	Total Amount of Assistance	\$ 40,000.01 up to \$80,000.00
30 Years	Total Amount of Assistance	\$ 80,000.01 up to \$200,000.00

Seminole County will provide an interest-free deferred forgivable loan. The initial assistance of up to \$40,000.00 will be forgiven upon completion of the tenth (10th) year anniversary. Assistance of \$40,000.01 up to \$80,000.00 will be forgiven upon completion of the twentieth (20th) year anniversary. Assistance of \$80,000.01 to \$200,000.00 will be forgiven upon completion of the thirtieth (30th) year anniversary.

Seminole County will provide development grant funding to qualified developers and contractors to enable the acquisition, rehabilitation, and resale of housing units to SHIP eligible homebuyers.

Homebuyers of the rehabilitated units may receive SHIP purchase assistance, and therefore all of the provisions including repayment by the homeowner will have the same terms as those specified for the Purchase Assistance Program (See Paragraph A.5.).

6. **Recipient Selection Criteria:** Developers will be selected based upon a best-qualified approach, including but not limited to: time in operation, financial stability, experience in the development of housing, project site and plans, sales price and subsidy cost per unit. Homebuyers will be selected based upon the same criteria as shown for the Purchase Assistance Strategy (See Paragraph II A. 6.).
7. **Sponsor Selection Criteria:** The County may choose a sponsor to assist in administration of this strategy assistance by using Seminole County purchasing and procurement guidelines. The Sponsor may be a for profit corporation or a not for profit corporation. Selection will be based on the best-qualified approach in the previous section which includes the general concepts of ability to proceed, past experience in related fields, and performance.
8. **Additional Information:**
 - This strategy is for first-time homebuyers. The definition of a first-time homebuyer is the same as for the Purchase Assistance Strategy; and
 - Applicants purchasing the individual units must be credit worthy and have sufficient income required to pay the mortgage and any additional existing debt service. Mortgage payments must meet the definition of affordable. (See I. L. for definition of affordable.)

D. Rehabilitation:

1. **Summary of the Strategy:** This strategy, offers qualified home owners, assistance with needed repairs and/or alterations to improve their health, safety, and well being or contribute to structural integrity and preservation of their owner occupied home. Assistance to make a home barrier free for special needs households is also eligible. This strategy may include reconstruction and demolition if a home is beyond financial feasibility to repair.
2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** This strategy will be for applicants whose income is classified as very low or low.
4. **Maximum award:** Maximum award is \$60,000 for Rehabilitation and \$200,000 for Reconstruction (also noted on the Housing Delivery Goals Charts: Exhibit C)
5. **Terms, Recapture and Default:** Seminole County will provide an interest free forgivable loan for up to 30 years. Minimum affordability period is based upon the total amount of SHIP assistance.

10 Years	Total Amount of Assistance	\$ Up to \$40,000.00
20 Years	Total Amount of Assistance	\$ 40,000.01 up to \$80,000.00
30 Years	Total Amount of Assistance	\$ 80,000.01 up to \$200,000.00

Seminole County will provide an interest-free deferred forgivable loan. The initial assistance of up to \$40,000.00 will be forgiven upon completion of the tenth (10th) year anniversary. Assistance of \$40,000.01 up to \$80,000.00 will be forgiven upon completion of the twentieth (20th) year anniversary. Assistance of \$80,000.01 to \$200,000.00 will be forgiven upon completion of the thirtieth (30th) year anniversary.

In the event of the death of a SHIP recipient prior to the forgiveness date or final payment due date, the unforgiven portion of the mortgage shall be repaid to Seminole County unless the property is assumed by a surviving household member, heir, or beneficiary, any one of whom must meet the income qualifications applicable to SHIP applicants and who maintains the home as his/her/their primary place of residence and homestead. Any such assumption is subject to approval by the County.

In the case of foreclosure, or other involuntary loss of title or possession of the home by the SHIP recipient, repayment will be required in the full amount due, subject to the amount available from net proceeds of any judicial sale or other forced liquidation or refinancing.

As an enhancement of its recapture strategies, in the event of a first mortgage foreclosure, the County may enter into a negotiated settlement with the first mortgagee for the sale or assignment of the County's interest at an amount less than the outstanding principal balance of the SHIP second mortgage. Alternatively, and with the objective of retaining the home as part of the local affordable housing stock, the County may negotiate the acquisition of the first mortgage at a discounted amount in connection with dismissal of the first mortgage foreclosure suit, or subject to Board approval, SHIP funds may be used for the purchase of previously SHIP funded homes at foreclosure sale with the objective of preserving the available affordable housing stock and protecting the County's investment.

6. **Recipient Selection Criteria:**

- Funds will be made available on a first come, first complete, first served basis while funds are available;
- All units assisted will be located in Seminole County;
- A manufactured/mobile home is only eligible if it meets the standards established by the Florida Department of Community Affairs (DCA) which requires a DCA decal/emblem to be displayed in the home. Applicant must have satisfied all planning, zoning, special exceptions or variance requirements of the local Jurisdiction. Staff will inspect the manufactured/mobile home to verify eligibility of the specific unit;
- Applicants are required to submit a completed Seminole County SHIP Application and provide all written documentation requested of income, eligibility and qualifications; and
- Persons who qualify for SHIP Assistance must contractually agree to all SHIP Program guidelines, Seminole County SHIP requirements, recapture provisions and certify that the unit assisted will be their principal residence.

7. **Sponsor Selection Criteria:** The County may choose a sponsor to assist in administration of this strategy by using Seminole County purchasing and procurement guidelines. The Sponsor may be a for-profit corporation or a not for profit corporation. Selection will be based on the sponsor's ability to proceed, past experience in related fields, and performance.
8. **Additional Information:** If it is determined by the Seminole SHIP Program that the applicant meets income eligibility guidelines, a home inspection and work write up will be completed by the County or its designee.
 - Funds will be encumbered for eligible applicants whose homes are deemed repairable according to program guidelines;
 - The County or its designee will assist the homeowner with work write up and inspections to ensure that all work is performed by a licensed and insured contractor;
 - All mortgages, taxes, and special assessments must be current and paid;
 - All homes eligible for rehabilitation must be owner occupied and with fee simple title; and
 - Housing rehabilitation activities funded under this strategy shall meet the County's Housing Rehabilitation Standards.
9. **Reconstruction provisions:**
 - The decision to demolish and replace a home will be contingent upon a review of the home inspection report to determine the extent of structural integrity of the home and need of repairs and recommendation of a local building official or state certified contractor;
 - If it is determined that the household and the condition of the unit meets eligibility guidelines for reconstruction, additional research will be undertaken to qualify the project. These will include, but may not be limited to: a title search, variances and set back requirements update, necessary sanitary requirements for water and sewer or septic and lot size for current construction guidelines;
 - In order to receive assistance under this strategy, applicants must have applied to the rehabilitation program and had their home declared beyond repair;
 - An applicant/homeowner must hold fee simple title with no mortgages or encumbrances on the title. In the event SHIP funds were used for earlier home repairs and the house has deteriorated beyond financial feasibility to repair, the previous, deferred SHIP loan may be forgiven by Seminole County;

- The County or its designee will assist the homeowner with County approved new home plans, contractor quote process and inspections to ensure that all work is performed by a licensed and insured contractor; and
- Prior to receiving assistance, the applicant/homeowner must complete a required County reconstruction information session that provides a focus on how to budget and plan for increased property taxes and homeowners insurance premiums.

E. New Construction for Seniors:

1. **Summary of Strategy:** SHIP funds may be used for land acquisition, and be provided to a non profit to construct a new housing development for seniors. The development will be targeted to one or two-person households who were previously owners of units determined unsuitable for rehabilitation (including mobile homes manufactured prior to 1994). Seniors eligible for assistance under this strategy shall be deemed to be those applicants for whom the head of household shall be sixty-two (62) years of age or older and who also qualify as very low or low income. Recipients will be provided a life estate rather than fee simple title in their new unit, thus preserving the residence as a long-term community resource of affordable housing. A monthly fee similar to that charged in condominiums will be affordable to all residents, and will provide for the maintenance and insurance for common areas, and other operational expenses.
2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** This program is intended to provide homeowner housing for very low and low income residents.
4. **Maximum award:** \$200,000 (also noted on the Housing Delivery Goals Charts, Exhibit C):
5. **Terms, Recapture and Default:** The selected non profit will be provided development grant funding. The conveyances for the units shall provide for life estates to qualified households with a vested remainder to the nonprofit upon expiration of the life estate and a contingent remainder interest for conveyance to the County in the event that the nonprofit fails to operate, lacks the continuing capacity to continue the activity, has failed to use the monthly fees to maintain the development to acceptable standards, or otherwise fails to operate the development in accordance with the standards and requirements that are set forth.

If requested, written agreements and other program design elements will be provided to Florida Housing Finance Corporation prior to the County undertaking this strategy.

6. **Recipient Selection Criteria:** Recipients will be selected based on the severity of the condition of their home, the size of the available unit(s), and their position on a first-come, first complete, first-served basis
7. **Sponsor Selection Criteria:** The County may choose a sponsor to assist in administration of this strategy assistance by using Seminole County purchasing and procurement guidelines. The Sponsor will be a not for profit corporation. Selection will be based on the best qualified approach in the previous section which includes the general concepts of ability to proceed, past experience in related fields, and performance.
8. **Additional Information:** The two primary purposes of this strategy are to:
1.) create affordable, desirable housing for senior homeowners whose current homes are beyond repair; and 2.) to create a continuing community housing resource for Seminole County's senior residents.

F. Disaster Relief:

1. **Summary of Strategy:** SHIP Funds may be used for disaster assistance emergency housing repairs in the aftermath of a natural disaster. "Disaster means any natural, technological, or civil emergency that causes damage of sufficient severity and magnitude to result in a declaration of a state of emergency by a county, the Governor, or the President of the United States. Disasters shall be identified by the severity of resulting damage". (Source: F.S. Title XVII, Chapter 252. 34 Definitions) This program is for owner-occupied homes.
2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** Very low and Low Income as defined by the U. S. Department of Housing (HUD) and adopted by the State of Florida and distributed by the Florida Housing Finance Corporation for use in the SHIP Program.
4. **Maximum award:** Maximum award is \$15,000 and noted on the Housing Delivery Goals Charts: Exhibit C

5. **Terms, Recapture and Default:** Seminole County may provide a grant up to \$15,000 contingent upon declaration of a disaster. If the cost of needed repairs exceeds \$15,000, additional funds may be provided through the rehabilitation strategy.
6. **Recipient Selection Criteria:**
 - Funds will be made available on a first come, first complete, first served basis while funds are available;
 - All units assisted will be located in Seminole County;
 - A manufactured/mobile home is only eligible if it meets the standards established by the Florida Department of Community Affairs (DCA) which requires a DCA decal/emblem to be displayed in the home. Applicant must have satisfied all planning, zoning, special exceptions or variance requirements of the local Jurisdiction. Staff will inspect the manufactured/mobile home to verify eligibility of the specific unit;
 - Applicants are required to submit a completed Seminole County SHIP Application and provide all written documentation requested of income, eligibility and qualifications;
 - Persons who qualify for SHIP Assistance must contractually agree to all applicable SHIP Program guidelines, Seminole County SHIP requirements, and certify that the unit assisted will be their principal residence; and
 - Taxes and mortgage payments must be up to date. Title must be in the applicant's name.
7. **Sponsor Selection Criteria:** The County may choose a sponsor to assist in the administration of this strategy by using Seminole County purchasing and procurement guidelines. The Sponsor may be a for profit corporation, a not-for-profit corporation, or a community based organization. Selection will be based on the sponsor's ability to proceed, past experience in related fields, and performance.
8. **Additional Information:**
 - Funds will not be allocated to this strategy except in the case of a federal, state, or locally declared disaster; and
 - Applications for disaster repair will be given priority above other strategies.

G. Foreclosure Prevention Strategy:

1. **Summary of the Strategy:** Funds will be provided in the form of a grant. This strategy may be used by income eligible homeowners with the assistance necessary to provide homeowners an opportunity to avoid foreclosure and retain their homes. This is a one-time assistance per household strategy. This strategy may also be used for curing arrearages in property taxes and/or home insurance, or for assistance with closing costs associated with a refinance or modification of an adjustable rate first mortgage in those cases where the refinance or modification is in the form of a fixed rate 15-30 Year FHA or Conventional Loan in combination with a lower first mortgage interest rate.
2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** This strategy will be for applicants whose income is classified as very low, low, or moderate.
4. **Maximum award:** Maximum award is \$5,000 and noted on the Housing Delivery Goals Charts: Exhibit C
5. **Terms, Recapture and Default:** SHIP funds provided for this activity will be in the form of a grant and not subject to recapture.
6. **Recipient Selection Criteria:**
 - Funds will be made available on a first come, first complete, first served basis while funds are available;
 - All units assisted will be located in Seminole County;
 - A manufactured/mobile home is only eligible if it meets the standards established by the Florida Department of Community Affairs (DCA) which requires a DCA decal/emblem to be displayed in the home. Applicant must have satisfied all planning, zoning, special exceptions or variance requirements of the local Jurisdiction. Staff will inspect the manufactured/mobile home to verify eligibility of the specific unit;
 - Applicants are required to submit a completed Seminole County SHIP Application and provide all written documentation requested of income, eligibility and qualifications and
 - Persons who qualify for SHIP Assistance must contractually agree to all SHIP Program guidelines, Seminole County SHIP requirements, recapture provisions and certify that the unit assisted is their principal residence.

7. **Sponsor Selection Criteria:** The County may choose a sponsor to assist in the administration of this strategy by using Seminole County purchasing and procurement guidelines. The Sponsors may be a for-profit corporation, or a not-for-profit corporation. Selection will be based on the sponsor's ability to proceed, past experience in related fields, and performance.
8. **Additional Information:**
- Applicants must be at least 2 months in arrears in mortgage payments and have received notification in writing from their lender that foreclosure proceedings will begin;
 - Applicants must have received, in writing from their lender, denial of default resolution, forbearance, or payment arrangement;
 - Applicants who need one-time assistance in paying taxes and/or property insurance should submit current invoices to the County for proof of need of assistance;
 - Applicants who apply for assistance and who need more than the foreclosure assistance that is offered in this strategy must have the additional funds to pay all the remaining unpaid deficiency;
 - Applicants must be credit worthy and have sufficient income required to maintain their mortgage after foreclosure assistance is received;
 - Participants will be required to receive homeownership counseling by staff to help prevent homeowners from re-experiencing future foreclosure problems;
 - Applicant must demonstrate through documentary evidence that non payment of their mortgage is due to:
 1. Sudden Loss of Income;
 2. Sudden Medical Expenses;
 3. Divorce or Separation;
 4. Death in Family; or
 5. Unforeseen home repair bills; and
 - Applicants who have an adjustable rate first mortgage and are seeking to refinance or modify their first mortgage solely to reduce the current first interest rate, may apply for closing cost assistance associated with the refinance or modification. The refinance or modification must be in the form of a fixed rate 15-30 Year FHA or Conventional Loan. Taxes and insurance shall be included in an escrow account established and administered by the first mortgage holder or it's Agent. Assistance will be provided up to one thousand five hundred dollars (\$1,500.00). Cash back to the home owner at closing is prohibited. This assistance will be provided only once to any recipient.

III. LHAP HOUSING STRATEGIES: Rental

A. Rental Construction and Rehabilitation

1. **Summary of Strategy:** SHIP Funds may be used for new construction or for rehabilitation of existing rental properties. Funds may be provided to a for-profit or a non-profit developer for the purpose of creating a long-term resource of rental housing opportunities for lower income residents.
2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** This strategy will be for residents whose income is classified as very low or low.
4. **Maximum award:** \$70,000 per unit for Very Low Income units and \$50,000 per unit for Low Income units (also noted on the Housing Delivery Goals Charts, Exhibit C)
5. **Terms, Recapture and Default:** Seminole County will provide development grant funding to qualified developers and contractors for provision of affordable rental housing units.

Affordability period:

15 years	Assistance of \$3,001 and higher per unit
20 years	Any new construction activity (irrespective of cost per unit)

Units must be occupied by eligible tenants at rents determined to be affordable, for the term of the affordability period or as specified in the funding documents, whichever period is longer. Recipient entities must annually recertify tenants' income, and provide annual reports to the County on formats approved by County housing staff. Developments must be maintained up to market standards, and will be subject to physical inspection by the County.

Repayment, default and recapture will be triggered at point of sale, transfer, certain refinancing, or discovery that the units are no longer properly secured, maintained, or occupied in accordance with the funding documents. Refinancing for the purpose of obtaining new money or which is determined by the County to be an artifice or device to convert SHIP funded equity into cash is not allowed.

6. **Recipient Selection Criteria:**

- Funds will be made available on a first come, first complete, first served basis while funds are available;
- All units assisted will be within Seminole County;
- Potential recipient entities are required to submit a completed Seminole County SHIP Request for Proposal (RFP) and provide all written documentation requested including project pro forma, income levels to be served, location and site control, site plans, development timetable, project manager qualifications, source of matching funds, uses statement, permit approvals and experience;
- Entities that qualify for SHIP Assistance must contractually agree to all SHIP Program guidelines, Seminole County SHIP requirements, recapture provisions and certify that the units assisted will be occupied by eligible residents; and
- Affordability period begins with either the certificate of occupancy or final inspection approval by the local building official.

7. **Sponsor Selection Criteria:** The County may choose a sponsor to assist in the administration of this strategy by advertising using Seminole County purchasing and procurement guidelines. The Sponsor may be a for profit corporation, or a not for profit corporation. Selection will be based on the sponsor's ability to proceed, past experience in related fields, and performance.

B. Rental Security and Utilities Deposit

1. **Summary of Strategy:** Funds will be provided in the form of a grant to persons in danger of becoming homeless as a result of the inability to pay security and/or utility deposits when seeking residence in rental housing. Social service agencies and housing providers may serve as access points for providing persons needing assistance with information in order for them to make application to the County to receive assistance. Assistance is limited to one-time within a three year period with a maximum award of \$2,000.
2. **Fiscal Years Covered:** 2007/2008; 2008/2009; 2009/2010
3. **Income Categories to be served:** This strategy will be for residents whose income is classified as very low or low.
4. **Maximum award:** \$2,000 per unit for Very Low and Low Income units (also noted on the Housing Delivery Goals Charts, Exhibit C)

5. **Terms, Recapture and Default:** SHIP funds provided for this activity will be in the form of a grant and not subject to recapture.
6. **Recipient Selection Criteria:**
 - Funds will be made available on a first come, first complete, first served basis while funds are available;
 - Households with total household income not exceeding 80% of median income are eligible for assistance under this strategy;
 - All units assisted will be within Seminole County;
 - A manufactured/mobile home is only eligible if it meets the standards established by the Florida Department of Community Affairs (DCA) which requires a DCA decal/emblem to be displayed in the home. Applicant must have satisfied all planning, zoning, special exceptions or variance requirements of the local Jurisdiction. Staff will inspect the manufactured/mobile home to verify eligibility of the specific unit;
 - All rental units assisted must meet SHIP affordability requirements. Applicants who apply for assistance and who need more than the assistance that is offered in this strategy must have the additional funds to pay all the remaining unpaid costs associated with the security and utilities deposit.
7. **Sponsor Selection Criteria:** This program will be administered by the Seminole County Community Assistance Division or the County may choose a sponsor to assist in the administration this strategy by advertising using Seminole County purchasing and procurement guidelines. The Sponsor may be a for profit corporation, or a not for profit corporation, or a community based organization. Selection will be based on the sponsor's ability to proceed, past experience in related fields, and performance.

IV. LHAP INCENTIVE STRATEGIES

Section 420.9071(16), F.S.

- A. **Name of the Strategy:** Expedited Permitting
Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.
1. Established policy and procedures: All housing permits that meet the affordable guidelines are noted. When permitting exceeds two weeks the permit will then be expedited. Average turn around time is one week.

B. Name of the Strategy: Ongoing Review Process

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

1. Established policy and procedures: Seminole County's Development review board notifies the SHIP Program Administrator of any impending changes that might impact the cost of affordable housing and receives comments regarding alternative solutions to limit cost increases.

V. EXHIBITS

Housing Delivery Goals Chart (HDGC)

Exhibit C

(Revised charts 2007/2008, 2008/2009, and 2009/2010 enclosed)

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD
OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY,
FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING ON
THE _____ DAY OF _____, 2008.

WHEREAS, Section 420.9072, Florida Statutes and Rule 67-37.006(3), Florida Administrative Code, implementing the State Housing Initiatives Partnership program ("SHIP") require that adoption of triennial Local Housing Assistance Plans and subsequent amendments thereto be adopted by resolution of the governing body; and

WHEREAS, the Board of County Commissioners (the "Board") has heretofore approved the County's current Local Housing Assistance Plan for Program Years 2007-2008, 2008-2009 and 2009-2010 (the "LHAP"); and

WHEREAS, the Board, at its regular meeting of July 22, 2008, considered and approved various technical and substantive amendments to the LHAP proposed by staff for submission to the Florida Housing Finance Corporation ("FHFC"); and

WHEREAS, the Board finds that the amendments to the LHAP are necessary and desirable for better meeting the affordable housing needs within the County in the current economic environment and that such changes are consistent with the LHAP as heretofore approved by the Florida Housing Finance Corporation; and

WHEREAS, said changes to the LHAP, by virtue of their scope are not merely technical revisions, but rather constitute substantive amendments mandating formal approval by resolution as a precondition for submittal to and final approval by FHFC,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida as follows:

1. The Local Housing Assistance Plan for Program Years 2007-2008, 2008-2009 and 2009-2010 is hereby formally amended to include such changes as were initially approved on July 22, 2008, and shall henceforth read as presented in Exhibit "A" to this Resolution.

2. The Community Services Department by and through its Division of Community Assistance is hereby directed to resubmit said amended LHAP to the Florida Housing Finance Corporation.

ADOPTED this _____ day of _____, 2008.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
BRENDA CAREY, Chairman

Date:  _____

Attachment:

Exhibit A - Amended Local Housing Assistance Plan for Program Years 2007-2008, 2008-2009 and 2009-2010